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*Attorneys for Defendants Persistence*

*Technologies (BVI) PTE Ltd.*

*and Tushar Aggarwal*

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

TAYLOR THOMSON,

Plaintiff,

v.

PERSISTENCE TECHNOLOGIES (BVI) PTE  
LTD., TUSHAR AGGARWAL, and ASHLEY  
RICHARDSON,

Defendants.

Case No. 2:23-cv-04669-MEMF-MAR

**DEFENDANTS PERSISTENCE  
TECHNOLOGIES (BVI) PTE LTD. AND  
TUSHAR AGGARWAL'S NOTICE OF  
MOTION AND MOTION TO DISMISS**

District Judge: Hon. Maame Ewusi-  
Mensah Frimpong

Magistrate Judge: Hon. Margo A. Rocconi

Date: January 18, 2024

Time: 10 a.m. PT

Courtroom: 8B

**NOTICE OF MOTION AND MOTION TO DISMISS**

NOTICE IS HEREBY GIVEN that on January 18, 2024, at 10:00 a.m. PT, or as soon thereafter as the Court is available, before the Honorable Maame Ewusi-Mensah Frimpong, in Courtroom 8B of the United States District Court, Central District of California, located at 350 West First Street, 8th Floor, Los Angeles, California 90012, Defendants Persistence Technologies (BVI) PTE Ltd. and Tushar Aggarwal (“Moving Defendants”) will and hereby do move the Court pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1), 12(b)(2), 12(b)(3), and 12(b)(6), and the Private Securities Litigation Reform Act, to dismiss Plaintiff Taylor Thomson’s (“Plaintiff”) First Amended Complaint in favor of arbitration, for lack of personal jurisdiction, and for failure to state a claim.

This Motion is based on this Notice of Motion and the following Memorandum of Points and Authorities, the pleadings and records in this action, any reply memoranda or additional briefing on this subject, the attached proposed order, and any evidence or arguments that may be presented to the Court at or before the time of a hearing on this matter.

For the reasons stated above and set forth in the accompanying Memorandum of Points and Authorities, Moving Defendants respectfully request that the Court dismiss the First Amended Complaint in its entirety, with prejudice.

This Motion is made following the conference of counsel of Plaintiff and Moving Defendants pursuant to Local Rule 7-3, which took place via videoconference on September 18, 2023.

[signature page follows]

1 Dated: October 10, 2023

JENNER & BLOCK LLP

2  
3 */s/ AnnaMarie A. Van Hoesen*

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12 *Attorneys for Defendants Persistence Technologies*  
13 *(BVI) PTE Ltd. and Tushar Aggarwal*

**PROOF OF SERVICE**

I am a citizen of the United States and resident of the State of New York. I am employed in New York, New York. My business address is Jenner & Block LLP, 1155 Avenue of the Americas, New York, New York 10036. I am over the age of eighteen years and not a party to this action.

On October 10, 2023, I served unredacted copies of the following documents:

- 1) **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS THE FIRST AMENDED COMPLAINT; AND**
- 2) **EXHIBIT 1 TO THE DECLARATION OF A. VAN HOESSEN IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS.**

on the following parties via electronic mail:

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*Counsel for Plaintiff Taylor Thomson*

*Counsel for Plaintiff Taylor Thomson*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on October 10, 2023 in New York, New York.

/s/ Adina Hemley-Bronstein  
Adina Hemley-Bronstein